

Appln No. 10/623,839

Amdt date November 21, 2005

Proposed Reply to Office action of August 24, 2005

REMARKS/ARGUMENTS

Claims 1-17 remain in the present application, of which claims 1, 7, 8, and 14 are independent claims. Claims 18-20 have been canceled without prejudice. Claims 1, 7, 8 and 14 have been amended herein. In particular, claims 7 and 14 have been amended to place them in an allowable form. Applicant requests reconsideration and allowance of claims 1-6, 8-13 and 15-17 in addition to maintaining the allowance of the allowable claims 7 and 14.

I. Telephone Interview

Applicant thanks the Examiner for the time and courtesy extended to Applicant's attorney during the telephone interview of October 31, 2005. During the telephone interview, claims 1 and 8 were discussed in reference to Watanabe et al. ("Watanabe" U.S. Pub. No. 2003/0133441). While no definite agreement has been reached as to the allowance of any additional claims (in addition to the already allowable claims 7 and 14), the Examiner suggested making claim amendments to claims 1 and 8 to place them in a better form for allowance. The amendments suggested by the Examiner are made herein.

I. Rejection of Claims 1, 4, 8, 10, 12, 15 and 16 under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1, 4, 8, 10, 12, 15, and 16 under 35 U.S.C. § 102(e) as allegedly being anticipated by Watanabe. Applicant respectfully submits, however, that Watanabe does not anticipate any pending claims of the present

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application because it does not disclose all claim elements of independent claim 1 or independent claim 8, from which all pending dependent claims depend.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Therefore, all claim elements, and their limitations, must be found in the prior art reference to maintain a rejection based on 35 U.S.C. § 102.

The Examiner states on page 3 of the Office Action that "Watanabe discloses a method of decoding MPEG data comprising a plurality of macroblocks, each macroblock comprising a header and block layer data (see ¶s 15, 87), the method comprises decoding (601, fig. 16) the header of at least one macroblock using first processing element; and decoding (602, fig. 16) the block layer data of said at least one macroblock using a second processing element. See ¶s 130, 160-161. See further ¶80 for the MPEG data." The Examiner then similarly rejects claim 8 as allegedly being analogous to the method claim 1.

Hence, the Examiner appears to equate the first processing element of claim 1 with the VOP header decoder 601 in FIG. 16 of Watanabe and appears to equate the second processing element of claim 1 with the video packet header decoder 602 of FIG. 16.

In FIG. 16 cited by the Examiner, however, Watanabe discloses a VOP header decoder 601, which decodes the VOP header

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(and/or the video packet header) and a video packet header decoder 602, which decodes "the macroblock number (MBA), the video packet quantization parameter (SQ), and the header expansion code (HEC) which are contained in the video packet header." (See ¶'s [0126] and [0130]).

Those skilled in the art would know that each macroblock in MPEG data includes a header (or macroblock header) and block layer data. The header and block layer data are conventionally decoded by a single processing element. Neither the VOP header decoder 601 nor the video packet header decoder 602 in FIG. 16 of Watanabe decodes any portion of the macroblocks.

In fact, it can be seen in FIG. 14A of Watanabe that both the VOP header (decoded by the VOP header decoder 601) of the first video packet and the video packet header (decoded by the video packet header decoder 602) of the second and subsequent video packets are separate from MB data ("macroblock data") that includes both the header and block layer data of macroblocks. By way of example, Watanabe recites in reference to FIG. 14 that "[t]he VOP code stream is further segmented into video packet code streams containing macroblocks ("MB data" in FIG. 14A)." (¶[0119] of Watanabe). Hence, it is clear in FIG. 14A of Watanabe that the macroblocks (i.e., MB data) are not a part of the VOP header or the video packet header decoded by the VOP header decoder 601 or the video packet header decoder 602.

It appears that the decoder 124 of Watanabe is a conventional MPEG decoder that decodes both the header and block layer data of macroblocks. In fact, the decoder 124 of FIG. 16 is the same part as the decoder 124 of FIG. 2 (see ¶ [0125]),

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and the decoder 124 of FIG. 2 is used to decode picture information of MPEG data (see ¶ [0084]), which would include both the header and block layer data of macroblocks. As such, Watanabe clearly does not disclose and in fact teaches away from "decoding the header of at least one macroblock using a first processing element; and decoding the block layer data of said at least one macroblock using a second processing element, the second processing element being different from the first processing element."

Since claim 1 recites, in a relevant portion, "decoding the header of at least one macroblock using a first processing element; and decoding the block layer data of said at least one macroblock using a second processing element, the second processing element being different from the first processing element," Watanabe does not disclose all elements of claim 1. Therefore, claim 1 is not anticipated by Watanabe. Therefore, Applicant requests that the rejection of claim 1 be withdrawn and that it be allowed.

Since claim 8 recites, in a relevant portion, "[a]n MPEG decoding system for decoding MPEG data comprising a plurality of macroblocks, each macroblock comprising a header and block layer data, said system comprising: a first processing element for decoding the header of at least one macroblock; and a second processing element for decoding the block layer data of said at least one macroblock, the second processing element being different from the first processing element," Watanabe does not disclose all elements of claim 8. Therefore, claim 8 is not

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anticipated by Watanabe. Therefore, Applicant requests that the rejection of claim 8 be withdrawn and that it be allowed.

Since claims 4, 10, 12, 15 and 16 depend, directly or indirectly, from claims 1 and 8, respectively, they each incorporate all the terms and limitations of claim 1 or 8 in addition to other limitations, which together further patentably distinguish them over the cited references. Therefore, Applicant requests that the rejection of claims 4, 10, 12, 15 and 16 be withdrawn and that they be allowed.

II. Rejection of Claims 2-3, 5, 9, 11 and 13 under 35 U.S.C. § 103(a)

The Examiner has rejected claims 2-3, 5, 9, 11 and 13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Watanabe. However, because claims 2-3, 5, 9, 11 and 13 depend, directly or indirectly, from claims 1 and 8, respectively, they incorporate all the terms and limitations of claim 1 or 8 in addition to other limitations, which together further patentably distinguish them over the cited references. Therefore, Applicant requests that the rejection of claims 2-3, 5, 9, 11 and 13 be withdrawn and that they be allowed.

The Examiner has further rejected claims 6 and 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Watanabe in view of Gebler et al. ("Gebler" U.S. Pat. No. 6,229,853). Gebler is being cited for the proposition that it "teaches receiving HDTV video data." However, Gebler does not overcome the deficiency of Watanabe to reject claims 1 and 8, and therefore, claims 1 and 8 are patentably distinguishable over

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Watanabe in view of Gebler. Since claims 6 and 17 depend, directly or indirectly, from claims 1 and 8, respectively, they incorporate all the terms and limitations of claims 1 or 8 in addition to other limitations, which together further patentably distinguish them over the cited references. Therefore, Applicant requests that the rejection of claims 6 and 17 be withdrawn and that they be allowed.

III. Allowable Claims 7 and 14

The Examiner has indicated that claims 7 and 14 would be allowable if rewritten in independent form. Applicant appreciates the indication that these claims are allowable. Since claims 7 and 14 have been rewritten in independent form herein as required by the Examiner, Applicant requests that claims 7 and 14 be allowed.


IV. Concluding Remarks

In view of the foregoing remarks, Applicant respectfully requests that claims 1-17 be allowed and a patent be issued. Furthermore, If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call Applicant's attorney at the number listed below.

Respectfully submitted,

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